

IT IS SO ORDERED.

Dated: 01:42 PM August 04 2010



UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE:

CASE NO. 08-50557

LARRY W. WILCOX
KIMBERLE A. WILCOX
DEBTORS

CHAPTER 13

JUDGE MARILYN SHEA-STONUM

PROPERTY ADDRESS:
529 LAFAYETTE AVE.
RAVENNA, OH 44266

**AGREED ORDER FOR RELIEF
FROM STAY**

This matter came to be considered on the Motion for Relief from Stay, Docket No. " 71 " (the "Motion") filed by, U.S. Bank, N.A. Successor by Merger to The Leader Mortgage Company, ("Movant"), and Debtor's Response to Motion.

Movant has alleged that good cause exists for granting the Motion and that Debtor(s), counsel for Debtor(s), the Chapter 13 Trustee, and all other necessary parties were served with this Motion and with notice of the hearing date for this Motion. Other than the Debtor, no party

filed a response or otherwise appeared in opposition to the Motion, and the parties have entered into an agreement resolving the Motion.

IT IS THEREFORE ORDERED:

1. Debtor shall maintain regular monthly post-petition payments in the amount of \$1,016.22 each to U.S. Bank, N.A. Successor by Merger to The Leader Mortgage Company outside the Chapter 13 Plan beginning with a payment due **August 1, 2010**. Failure by the Debtor to make any payment within 30 days of the date due shall constitute a default. Beginning October, 2010, mortgage payments should decrease depending on escrow analysis for the new year.
2. Upon the existence of a default, Movant's counsel shall send Debtor and counsel for Debtor a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.
3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtor, an Order shall be entered without further hearing, terminating the stay imposed by Section 362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns.
4. This Agreed order for Relief from Stay conforms to the standard form adopted in this District except as follows:
 - a. **The Debtor is currently in arrears of the post-petition payments to Movant in the sum of \$6,247.96. Arrearage consists of eight (8) payments of \$1,016.22 each (12/09-7/10), with late charges of \$40.65 each, minus suspense balance of \$2,207.00**

b. The Debtor shall cure the arrears by paying the sum of \$6,247.96 plus Attorney fees and costs of \$425.00, for a total of \$6,672.96, through the Chapter 13 Plan for which amount Movant is entitled to file a supplemental claim.

c. ACCORDINGLY, the Debtor's Chapter 13 Plan payments will be increased to \$400.00 per month.

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SUBMITTED BY:

/s/ Erin M. Laurito

Erin M. Laurito (0075531)
Jeffrey V. Laurito (0014652)
LAURITO & LAURITO, L.L.C.
7550 Paragon Road
Dayton, OH 45459
937-743-4878
FAX: 937-743-4877
dleonard@lauritolaw.com
Attorneys for Movant

/s/ Mark C. Cavanaugh

Mark C. Cavanaugh (0020557)
755 White Pond Dr., Ste. 403
Akron, OH 44320
Attorney for Debtors

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee (0063137)
Joseph A. Ferrise, Staff Attorney (0084477)
One Cascade Plaza
Suite 2020
Akron, OH 44308
330-762-6335
FAX: 330-762-7072
krucinski@ch13akron.com
jferrise@ch13akron.com

PARTIES TO BE SERVED:

Larry W. Wilcox, debtor
529 Lafayette Avenue
Ravenna, OH 44266
(served via US mail)

Kimberle A. Wilcox, debtor
529 Lafayette Avenue
Ravenna, OH 44266
(served via US mail)

Mark C. Cavanaugh
755 White Pond Dr., Ste. 403
Akron, OH 44320
Attorney for Debtor
(served via ECF Noticing)

Erin M. Laurito
Jeffrey V. Laurito
Attorneys for Movant
7550 Paragon Road
Dayton, OH 45459
(served via ECF Noticing)

Keith Rucinski, Trustee
One Cascade Plaza
Suite 2020
Akron, OH 44308
(served via ECF Noticing)

Office of the U.S. Trustee
Howard M. Metzenbaum U. S. Courthouse
201 Superior Avenue
Cleveland, OH 44114-1235
(served via ECF Noticing)